

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT TROHA and FREDERICK BIGNALL, )  
on behalf of themselves and all others )  
similarly situated, )

Plaintiffs, )

v. )

Civil Action No. 05-191 E

THE UNITED STATES OF AMERICA, )

Defendant. )  
\_\_\_\_\_ )

**NOTICE OF SUPPLEMENTAL AUTHORITY**

Defendant United States hereby notifies the Court of the recent decision by the Superior Court of Pennsylvania in the case of Sally L. Moody, et al. v. Allegheny Valley Land Trust, et al., No. 914 WDA 2006, 2007 Pa. Super. 189, 2007 WL 1806068 (Pa. Sup. June 25, 2007). The Moody decision provides supplemental authority on the issue of abandonment of railroad rights-of-way as a matter of Pennsylvania property law, which is an issue presented in the parties' pending cross-motions for summary judgment. A copy of the Moody decision is attached.

Dated: June 28, 2007

Respectfully submitted,

RONALD J. TENPAS  
Assistant Attorney General  
Environment & Natural Resources Division

s/Kristine S. Tardiff  
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